

United States District Court
Southern District of Indiana
Indianapolis Division

JOHN DOE,

Plaintiff,

v.

Case No. 1:20-cv-00123-JRS-MG

THE TRUSTEES OF INDIANA
UNIVERSITY, et al.

Defendants.

DEFENDANTS' NOTICE REGARDING DE #71

On April 7, 2021, the Court notified the parties that it intends to convert Defendants' Motion to Dismiss into one for summary judgment, and asked the parties if they had additional admissible evidence to submit related to Libby Spotts' Declaration (DE #66-3 pp. 4–9). Pursuant to the Court's order, Defendants hereby notify the Court that they do not intend to introduce further evidence related to that Declaration.

Defendants note, however, that Plaintiff submitted evidence on April 19, 2021. (DE #72.) While some limited portions of that submission are arguably related to Spotts' Declaration, much of it is not. In addition, much of Plaintiff's submission consists of inadmissible evidence. Accordingly, Defendants intend to file a motion to strike inadmissible evidence from Plaintiff's submission.

Respectfully submitted,

/s/ Tracy N. Betz

Michael C. Terrell, Atty. # 2124-49

Tracy N. Betz, Atty. # 24800-53

Vivek R. Hadley, Atty. # 32620-53

TAFT STETTINIUS & HOLLISTER LLP

One Indiana Square, Suite 3500

Indianapolis, IN 46204-2023

(317) 713-3500

(317) 713-3699 (fax)

mterrell@taftlaw.com

tbetz@taftlaw.com

vhadley@taftlaw.com

Attorneys for Defendants